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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 09/705,050   | 11/02/2000  | Masahiko Nakayama    | P/1866-54               | 3890             |
| 7590   | 06/16/2004  |                      | EXAMINER                |                  |
| STEVEN I. WEISBURD<br>DICKSTEIN, SHAPIRO, MORIN & OSHINSKY<br>1177 AVENUE OF THE AMERICAS<br>41ST FLOOR<br>NEW YORK, NY 10036-2714 |             |                      | DO, CHAT C              |                  |
|  |             |                      | ART UNIT                | PAPER NUMBER     |
|  |             |                      | 2124                    |                  |
|  |             |                      | DATE MAILED: 06/16/2004 |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                        |                        |  |
|------------------------|------------------------|--|
| <b>Advisory Action</b> | <b>Application No.</b> | <b>Applicant(s)</b>                      |
|                        | 09/705,050             | NAKAYAMA, MASAHIKO<br><i>[Signature]</i> |
| <b>Examiner</b>        | <b>Art Unit</b>        |  |
| Chat C. Do             | 2124                   |  |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a)  The period for reply expires 3 months from the mailing date of the final rejection.
- b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.  The proposed amendment(s) will not be entered because:
  - (a)  they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  they raise the issue of new matter (see Note below);
  - (c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3.  Applicant's reply has overcome the following rejection(s): of claims 4 and 17-21 under 35 U.S.C. 112.
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.  The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See below.
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: 2.

Claim(s) rejected: 2-21.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8.  The drawing correction filed on \_\_\_\_\_ is a) approved or b) disapproved by the Examiner.

9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s). \_\_\_\_\_.

10.  Other: \_\_\_\_\_.

## Part 5(c):

Drawing objection for claim 2 is still valid because Figure 2 as argued by applicant does not disclose a control mean is under control of a shift clock for the first n-bit shift register instead Figure 2 discloses a control mean is under control of a clock signal (106) wherein the clock signal is also used or utilized to control the first n-bit shift register. Neither Figure 2 nor the specification discloses the control mean is under control of a shift clock for the first n-bit shift register.

Argument for claim 2, the applicant argued that the cited reference by Hidemitsu fails to teach or suggest a second n-bit shift register for shifting a ramp-up/down signal through successive bits stages under control of a shift clock for the first n-bit shift register. However based on the claim language, it does not define clearly what's a ramp-up/down signal. The examiner interprets the ram-up/down signal is just any signal that is used to configure and select as seen in Figure 11 of cited reference. Figure 11 is a control mean to generate a selection signals (S1-S5) that would be used in Figure 7 for selecting data accordingly. In general, Hidemitsu clearly discloses the limitation "a second n-bit shift register (108-113) for shifting a ramp-up/down signal (e.g. T2) through successive bits stages under control of a shift clock for the first n-bit shift register" in Figures 11 and 7.

Argument for claim 10, it has similar limitations cited in claim 2. Thus, claim 10 is also rejected under the same rationale in the rejection of rejected claim 2.

Argument for claim 17, the applicant argued that the cited reference fails to teach or suggest EITHER the fixed value or the FIR filter coefficient. In Figure 1, the control mean (22) outputs selection signals that are used to select either input shift data or a fixed value "0" (e.g. 6-10).

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